

PREVAILED

Roll Call No. \_\_\_\_\_

FAILED

Ayes \_\_\_\_\_

WITHDRAWN

Noes \_\_\_\_\_

RULED OUT OF ORDER

## HOUSE MOTION \_\_\_\_\_

MR. SPEAKER:

I move that Engrossed Senate Bill 483 be amended to read as follows:

- 1           Page 1, between the enacting clause and line 1, begin a new  
2 paragraph and insert:  
3           "SECTION 1. IC 3-5-2-40.1 IS AMENDED TO READ AS  
4 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 40.1. "Precinct election  
5 officer" means a person appointed to serve in a precinct as one (1) of  
6 the following:  
7           (1) Inspector.  
8           (2) Judge.  
9           **(3) Proof of identification checker.**  
10          ~~(3)~~ **(4)** Poll clerk.  
11          ~~(4)~~ **(5)** Assistant poll clerk.  
12          ~~(5)~~ **(6)** Election sheriff."  
13          Page 1, between lines 16 and 17, begin a new paragraph and insert:  
14          "SECTION 3. IC 3-5-3-1 IS AMENDED TO READ AS  
15 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 1. (a) Except as  
16 provided in **subsection (d) and** sections 7 through 10 of this chapter,  
17 the county auditor shall pay the expenses of voter registration and for  
18 all election supplies, equipment, and expenses out of the county  
19 treasury in the manner provided by law. The county fiscal body shall  
20 make the necessary appropriations for these purposes.  
21          (b) The county executive shall pay to the circuit court clerk or board  
22 of registration the expenses of:  
23               (1) removing voters from the registration record under IC 3-7-43,  
24               IC 3-7-45, or IC 3-7-46; and

(2) performing voter list maintenance programs under IC 3-7;  
out of the county treasury without appropriation.

(c) Registration expenses incurred by a circuit court clerk or board of registration for:

(1) the salaries of members of a board of registration appointed under IC 3-7-12-9;

(2) the salaries of chief clerks appointed under IC 3-7-12-17; and

(3) the salaries of assistants employed under IC 3-7-12-19;

may not be charged to a municipality. However, the municipality may be charged for wages of extra persons employed to provide additional assistance reasonably related to the municipal election.

**(d) For each proof of identification checker appointed under IC 3-6-6-1.5, the state must pay:**

**(1) the cost of the training course required under IC 3-6-6-41; and**

**(2) the compensation established under IC 3-6-6-25.**

SECTION 4. IC 3-6-6-1.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: **Sec. 1.5. (a) Each county election board shall appoint four (4) proof of identification checkers for each precinct in the county.**

**(b) The checkers appointed under subsection (a) are required to review and determine whether the proof of identification (as defined in IC 3-5-2-40.5) produced by each voter complies with IC 3-10-1-7.2, IC 3-11-8-25, or IC 3-11-8-25.1.**

**(c) Each county chairman of a major political party of the county is entitled to nominate two (2) proof of identification checkers under section 9 of this chapter.**

**(d) Each proof of identification checker must be a voter of the county.**

SECTION 5. IC 3-6-6-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: **Sec. 9.** The county chairmen of the major political parties of a county may nominate individuals who meet the requirements of section 7 or 39 of this chapter for the following precinct election offices who will serve in the precinct on election day:

(1) Judge.

**(2) Proof of identification checker.**

~~(2) (3)~~ Poll clerk.

~~(3) (4)~~ Assistant poll clerk.

~~(4) (5)~~ Election sheriff.

SECTION 6. IC 3-6-6-14 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: **Sec. 14.** (a) This section does not apply to a vacancy in the office of election sheriff in a precinct that is subject to a resolution adopted under section 5 of this chapter.

(b) If a precinct election officer fails to appear at the hour set for the opening of the polls, or if a precinct election office becomes vacant during election day, the remaining members of the precinct election

board shall fill the vacancy upon the nomination of the highest ranking precinct election officer nominated by the county chairman of the same political party whose county chairman was entitled to nominate the holder of the office to be filled.

(c) If a county chairman fails to nominate the individual appointed to make a nomination to fill a vacant precinct election office under subsection (b), the individual appointed by the county election board to this precinct election office under section 13(b) of this chapter is entitled to make the nomination to fill the vacant precinct office under this section.

(d) For the purpose of these nominations, the rank of precinct election officers is as follows:

(1) Inspector.

(2) Judge.

**(3) Proof of identification checker.**

~~(3)~~ **(4)** Poll clerk.

~~(4)~~ **(5)** Assistant poll clerk.

~~(5)~~ **(6)** Election sheriff.

SECTION 7. IC 3-6-6-23 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 23. The oath prescribed for a precinct election officer must be signed before a person authorized to administer oaths and contain the following information:

I do solemnly swear (or affirm) the following:

(1) I will support the Constitution of the United States and the Constitution of the State of Indiana.

(2) I will faithfully and impartially discharge the duties of inspector (or judge, **proof of identification checker**, poll clerk, assistant poll clerk, or sheriff) of this precinct under the law.

(3) I will not knowingly permit any person to vote who is not qualified and will not knowingly refuse the vote of any qualified voter or cause any delay to any person offering to vote other than is necessary to procure satisfactory information of the qualification of that person as a voter.

(4) I am now a bona fide resident of the county in which the precinct in which I am to act as a member of the election board is situated and, if required by law, am a qualified voter of that county.

(5) I will not disclose or communicate to any person how any voter has voted at this election or how any ballot has been folded or marked.

(6) I am able to read, write, and speak the English language.

(7) I have no property bet or wagered on the result of this election.

(8) I am not a candidate to be voted for at this election in this precinct, except as an unopposed candidate for a political party office.

(9) If I am serving as an inspector, I am not the chairman or treasurer of the committee of a candidate whose name appears on

the ballot.

(10) I am not related to any person to be voted for at this election in this precinct as the spouse, parent, father-in-law, mother-in-law, child, son-in-law, daughter-in-law, grandparent, grandchild, brother, sister, brother-in-law, sister-in-law, uncle, aunt, nephew, or niece of that person, unless that person is an unopposed candidate.

(11) I was trained as required by IC 3-6-6-40.

**(12) If I am serving as a proof of identification checker, I was trained as required by section 41 of this chapter.**

SECTION 8. IC 3-6-6-25 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 25. Each inspector, judge, **proof of identification checker**, poll clerk, assistant poll clerk, and election sheriff is entitled to a per diem fixed by the county executive for the performance of all the duties of office imposed on the person by this title that are performed on election day.

SECTION 9. IC 3-6-6-41 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: **Sec. 41. (a) In addition to the training and educational meeting held for precinct election officers under section 40 of this chapter, the county election board shall require each proof of identification checker appointed under section 1.5 of this chapter to attend and successfully complete a training course to enable the checker to identify fraudulent or forged proof of identification.**

**(b) Not later than January 1, 2006, the election division shall develop and provide to county election boards a course of study that satisfies the requirements of subsection (a).**

**(c) In developing the training course described in subsection (a), the election division must consult with:**

**(1) the counterterrorism and security council established by IC 4-3-20-2; and**

**(2) the alcohol and tobacco commission created by IC 7.1-2-1-1."**

Renumber all SECTIONS consecutively.

(Reference is to ESB 483 as printed March 15, 2005.)

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Representative Brown C